

Customer No. 23932

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

Toby R. Thomas  
Samuel D. Aversa  
John D. Athans

Atty. Docket No.: 47097-00057

Examiner: Not Assigned

Art Unit: 3727

Application No.: 09/422,510

Filed: October 21, 1999

For: Fill-Through-The-Top Package And  
Method And Apparatus For Making  
The Same

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Attn: Box Non-Fee Amendment, Washington, D.C. 20231, on February 1, 2001.

Signature: Janet L. Newmaker  
Janet L. Newmaker

**SECOND INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Box Non-Fee Amendment

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Second Information Disclosure Statement be entered, and the references listed on enclosed Form PTO-1449 be considered by the Examiner and made of record. In accordance with 37 C.F.R. § 1.98(d), copies of the listed references which were not submitted by the Applicants or cited by the Examiner for parent Application No. 09/373,312, now issued as U.S. Patent No. 6,071,011, are enclosed.

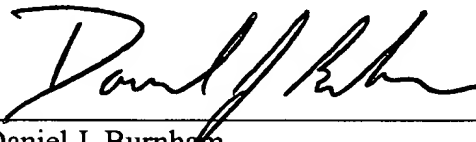
In accordance with 37 C.F.R. §§ 1.97(g) and (h), this Second Information Disclosure Statement is not to be construed as a representation that a search has been made, or an admission

that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability, as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(e)(1), attorney for Applicants hereby certifies that some items of information contained in this Second Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign application, as evidenced by the enclosed Search Report dated November 27, 2000, for International Application No. PCT/US00/20992.

This Second Information Disclosure Statement is being filed prior to receipt of a first Office Action reflecting an examination on the merits and, hence, is believed to be timely in accordance with 37 C.F.R. § 1.97(b). Accordingly, no fee is believed to be due. Should any fee be deemed necessary (except payment of the issue fee), however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0447 (47097-00057). A duplicate copy of this Statement is enclosed for that purpose.

Respectfully submitted,



Date: February 1, 2001

Daniel J. Burnham  
Reg. No. 39,618  
Jenkins & Gilchrist  
1445 Ross Avenue, Suite 3200  
Dallas, TX 75202-2799  
(312) 425-3900  
Attorney for Applicants